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09/108,527	07/01/1998	BRENT TOWNSHEND		2530

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EXAMINER
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TANG, KENNETH

ART UNIT	PAPER NUMBER
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2127

DATE MAILED: 09/30/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/108,527

Applicant(s)

TOWNSHEND, BRENT

Examiner

Kenneth Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-15, 18-29 and 31-36 is/are rejected.
- 7) ☒ Claim(s) 30 and 37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. This non-final office action is in response to paper number 16, Response/Amendment D, which was received 8/12/03. Claims 1-37 are presented for examination.

#### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "wherein at least one message of said plurality of messages has not been classified, before determining that a threshold number of said plurality of electronic mail messages have a particular content, as belonging to said first type" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 4-7, 15, 18, and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 4-7, 15, 18, and 31 recites the limitation "signature elements." There is insufficient antecedent basis for this limitation in the claim. Rejection would be overcome if "signature elements" was amended to "message signature elements."

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 8-11, 19, 26-29, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Leeds (US 2002/0016824 A1) in view of Horvitz (US 6,161,130).**

7. Referring to claims 1, 26, and 29 Leeds teaches an electronic mail system, method and computer-readable medium (*"the computer system 100 further includes a floppy disk drive 114; other removable media devices (e.g., compact disc 119, tape, and removable magneto-optical media (not shown)); and a hard disk 112, or other fixed, high density*

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*media drives, connected using an appropriate device bus (e.g., a SCSI bus or an Enhanced IDE bus)", [0022], and e-mail, page 2, 0024) of automatically generating a set of criteria based on contents of a plurality of emails ("authenticator" to determine if a received email is a junk email, page 1, 0012, Fig. 7, "(3) a learning knowledge base that creates its own rules to ascertain prior junk e-mail characteristics and subsequently adds those criteria to the knowledge base to prevent future junk e-mail with the same or similar characteristics from being delivered.", [0025]) which comprises:*

- *receiving an electronic mail message over a network/server (e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024);*
- *determining whether electronic mail message satisfies set of criteria (scored to probable characteristics, origination, validity and desirability of mail, page 2, 0024, and status of mail as junk e-mail or valid message, page 2, 0025);*
- *if electronic mail message satisfies set of criteria, then processing electronic mail message as first type of electronic mail (junk e-mail, page 2, 0025);*
- *if electronic mail does not satisfy set of criteria, then possessing electronic mail message as second type of electronic mail (valid message, page 2, 0025);*
- *wherein first type of electronic mail is processed differently than the second type of electronic mail (verification request deliverable or undeliverable, pages 2-3, 0026).*

Leeds does teach automatically generating a set of criteria to determine if the e-mail is junk or not ("authenticator", "determine if a received e-mail is a junk e-mail", "either automatically or as part of a mail filter", [0012], junk e-mail, page 2, 0025, "(3) a learning knowledge base that creates its own rules to ascertain prior junk e-mail

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*characteristics and subsequently adds those criteria to the knowledge base to prevent future junk e-mail with the same or similar characteristics from being delivered.”, [0025]) and has a confidence rating which automatically determines if the email is junk or legitimate (“Based upon that determination, certain user-assignable and computable confidence ratios may be automatically determined.”, page 1, [0011]). The confidence ratio acts like a threshold because if the confidence rating is exceeded, then the email would be classified as one type of mail, and vice versa.*

However, Leeds does not explicitly state the term threshold.

On the other hand, Horvitz teaches using a threshold value to be compared against for filtering out unwanted emails (*threshold value, col 4 line 67 and col 5 lines 1-15*) for the reason to classify messages accordingly to some criteria, where “junk e-mail” (*page 2, 0025*) can serve as one type of electronic mail. Furthermore, Horvitz discloses “an invention which discriminates message content through content classifications/criteria (*“invention discriminates message content for that recipient, through a probabilistic classifier (e.g., a support vector machine) trained on prior content classifications”, see Abstract*). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a threshold to the system of Leeds in order to have a point or boundary of the amount of a message content which distinguishes the difference between spam and a legitimate email (*col 4, line 67, and col 5, lines 1-15*). Horvitz is in the same field of endeavor of junk email detecting/eliminating, therefore, combination of references is proper.

8. Referring to claim 2, Leeds teaches the following:

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- generating a message signature for an electronic mail message based on contents of an electronic mail message (*digitally the signed part, the signature, and the unique code, page 4, 0038*);
- determines whether message signature satisfies the set of criteria (*check signed part of message against signature, page 4, 0038*).

9. Referring to claim 3, Leeds fails to explicitly teach that determining that a threshold number of said plurality of electronic mail messages have a particular content includes determining that at least a portion of each said plurality of electronic mail messages have said particular content. However, Horvitz teaches using a threshold value to be compared against for filtering out unwanted emails (*threshold value, col 4 line 67 and col 5 lines 1-15*) for the reason to classify messages accordingly to some criteria. Furthermore, Horvitz discloses “an invention which discriminates message content through content classifications/criteria (*“invention discriminates message content for that recipient, through a probabilistic classifier (e.g., a support vector machine) trained on prior content classifications”, see Abstract*). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a threshold to the system of Leeds in order to have a point or boundary of the amount of a message content which distinguishes the difference between spam and a legitimate email (*col 4, line 67, and col 5, lines 1-15*).

10. Referring to claim 4, while Leeds teaches a confidence rating assigned to a message (page 2, 0024), he fails to explicitly teach tracking how many signature elements

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of electronic mail messages match. However, it would be obvious to one of ordinary skill in the art at the time the invention was made that the confidence rating feature of Leeds serves the same function as the signature elements tracker because this tracking of signature elements is used to calculate how “confident” the system is in determining whether the electronic mail is a junk email (page 2, 0024).

11. Referring to claim 8, Leeds explicitly fails to teach adding a bulk electronic mail flag to an electronic mail message. However, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a bulk electronic mail flag to the system of Leeds in order to determine when a bulk electronic mail is received.

12. Referring to claim 9, Leeds explicitly fails to teach a server adding a bulk electronic mail flag to an electronic mail message. However, it would have been obvious to one ordinary skill in the art at the time the invention was made to have the server include a bulk electronic mail flag to the system of Leeds in order to determine when a bulk electronic mail is received.

13. Referring to claim 10, Leeds teaches a method of managing electronic mail, the method comprising the steps of:

- a central server receiving from an electronic mail server a message signature generated from an electronic mail message (*e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024, and server, [0024]*);

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- an electronic mail server determining whether said message signature satisfies a set of criteria based on message signatures previously received by said central server from a set of electronic mail servers (*scored to probable characteristics, origination, validity and desirability of mail, page 2, 0024, and status of mail as junk e-mail or valid message, page 2, 0025, and "Incoming messages (e-mails) are automatically scanned and parsed, either (1) at a server located at an Internet provider (prior to delivery to the intended ultimate recipient), (2) at a LAN-based receiving station, or (3) at the actual ultimate recipient's mail machine, i.e., local to the user. Once the message has been parsed or broken down into fields, the message is compared with several user defined rules for handling messages, and a confidence rating is assigned to the message."*, [0024]);
- if said received data satisfies a set of criteria, then said electronic mail server processing said electronic mail message as a bulk electronic mail message (*junk e-mail, page 2, 0025*);.

Leeds fails to explicitly teach:

- wherein said set of criteria classifies said electronic mail message and a threshold number of electronic mail messages as having a particular content;

However, Horvitz teaches using a threshold value to be compared against for filtering out unwanted emails (*threshold value, col 4 line 67 and col 5 lines 1-15*) for the reason to classify messages accordingly to some criteria, where "junk e-mail" (*page 2, 0025*) can serve as one type of electronic mail. Furthermore, Horvitz discloses "an invention which discriminates message content through content classifications/criteria (*"invention discriminates message content for that recipient, through a probabilistic*

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*classifier (e.g., a support vector machine) trained on prior content classifications”, see Abstract).* Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a threshold to the system of Leeds in order to have a point or boundary of the amount of a message content which distinguishes the difference between spam and a legitimate email (*col 4, line 67, and col 5, lines 1-15*).

14. Referring to claim 11, it is rejected for the same reason as in the rejection of claim 4.

15. Referring to claims 19 and 32, Leeds teaches the system, method and a computer-readable medium carrying one or more sequences of one or more instructions for managing electronic mail (*“media devices”, and e-mail, page 2, 0024*) of automatically generating a set of criteria based on contents of a plurality of emails (*“authenticator” to determine if a received email is a junk email, page 1, 0012, Fig. 7*), wherein the execution of the one or more sequences of the one or more instructions causes the one or more processors to perform the steps of:

- receiving an electronic mail message over a network (e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024);
- generating a message signature for said electronic mail message by applying contents of said electronic mail message to a function that produces said message signature (digitally the signed part, the signature, and the unique code, page 4, 0038);
- if electronic mail message satisfies set of criteria, then processing electronic mail message as first type of electronic mail (junk e-mail, page 2, 0025);

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- if electronic mail does not satisfy set of criteria, then possessing electronic mail message as second type of electronic mail (valid message, page 2, 0025);

Leeds fails to explicitly teach:

- determining whether said message signature satisfies a set of criteria that indicates said electronic mail message and a threshold number of electronic mail messages have a particular content.

However, Horvitz teaches using a threshold value to be compared against for filtering out unwanted emails (*threshold value, col 4 line 67 and col 5 lines 1-15*) for the reason to classify messages accordingly to some criteria, where “junk e-email” (*page 2, 0025*) can serve as one type of electronic mail. Furthermore, Horvitz discloses “an invention which discriminates message content through content classifications/criteria (*“invention discriminates message content for that recipient, through a probabilistic classifier (e.g., a support vector machine) trained on prior content classifications”*, see *Abstract*). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a threshold to the system of Leeds in order to have a point or boundary of the amount of a message content which distinguishes the difference between spam and a legitimate email (*col 4, line 67, and col 5, lines 1-15*).

16. Referring to claim 27, it is rejected for the same reasons as in the rejection of claim 2.

17. Referring to claim 28:

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- wherein determining that a threshold number of said plurality of electronic mail messages have a particular content includes determining that at least a portion of each of said plurality of electronic mail messages have said particular content.

Horvitz discloses using a threshold value to be compared against for filtering out unwanted emails (threshold value, col 4 line 67 and col 5 lines 1-15) for the reason to classify messages accordingly to some criteria. It is inherent that during the comparison of the threshold values, a determination is made whether the lower bound of the portion is satisfied or not.

18. Referring to claim 35, Leeds teaches a method of managing electronic mail, the method comprising the steps of:

- automatically generating a set of criteria based on contents of a plurality of electronic mail messages received over a network (*"authenticator", "determine if a received e-mail is a junk e-mail", "either automatically or as part of a mail filter", [0012], junk e-mail, page 2, 0025, and e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024, "(3) a learning knowledge base that creates its own rules to ascertain prior junk e-mail characteristics and subsequently adds those criteria to the knowledge base to prevent future junk e-mail with the same or similar characteristics from being delivered.", [0025]);*
- wherein the step of automatically generating a set of criteria includes automatically determining what particular content to use to classify electronic mail messages (*"authenticator", "determine if a received e-mail is a junk e-mail", "either*

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*automatically or as part of a mail filter", [0012], junk e-mail, page 2, 0025, and e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024);;*

- in response to determining that a threshold number of said plurality of electronic mail messages have said particular content, generating criteria that classifies electronic mail messages that have said particular content as a first type of electronic mail (*junk e-mail, page 2, 0025);;*
- receiving an electronic mail message over said network (*e-mail message, network, page 3, 0035, e-mail messages automatically scanned and parsed at server, page 2, 0024).;*
- determining whether said electronic mail message satisfies said set of criteria then processing said electronic mail message as said first type of electronic mail (*scored to probable characteristics, origination, validity and desirability of mail, page 2, 0024, and status of mail as junk e-mail or valid message, page 2, 0025);*
- if said electronic mail message does not satisfy said set of criteria, then processing said electronic mail message as a second type of electronic mail (*scored to probable characteristics, origination, validity and desirability of mail, page 2, 0024, and status of mail as junk e-mail or valid message, page 2, 0025);;*
- wherein said first type of electronic mail is processed differently than said second type of electronic mail (*scored to probable characteristics, origination, validity and desirability of mail, page 2, 0024, and status of mail as **junk e-mail or valid message**, page 2, 0025);.*

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Leeds does teach automatically generating a set of criteria to determine if the e-mail is junk or not (*“authenticator”, “determine if a received e-mail is a junk e-mail”, “either automatically or as part of a mail filter”, [0012], junk e-mail, page 2, 0025, “(3) a learning knowledge base that creates its own rules to ascertain prior junk e-mail characteristics and subsequently adds those criteria to the knowledge base to prevent future junk e-mail with the same or similar characteristics from being delivered.”, [0025]*) and has a confidence rating which automatically determines if the email is junk or legitimate (*“Based upon that determination, certain user-assignable and computable confidence ratios may be automatically determined.”, page 1, [0011]*). The confidence ratio acts like a threshold because if the confidence rating is exceeded, then the email would be classified as one type of mail, and vice versa.

However, Leeds does not explicitly state the term threshold.

On the other hand, Horvitz teaches using a threshold value to be compared against for filtering out unwanted emails (*threshold value, col 4 line 67 and col 5 lines 1-15*) for the reason to classify messages accordingly to some criteria, where “junk e-mail” (*page 2, 0025*) can serve as one type of electronic mail. Furthermore, Horvitz discloses “an invention which discriminates message content through content classifications/criteria (*“invention discriminates message content for that recipient, through a probabilistic classifier (e.g., a support vector machine) trained on prior content classifications”, see Abstract*). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a threshold to the system of Leeds in order to have a point or boundary of the amount of a message content which distinguishes the difference between spam and a legitimate email (*col 4, line 67, and col 5, lines 1-15*).

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Horvitz is in the same field of endeavor of junk email detecting/eliminating, therefore, combination of references is proper.

**19. Claims 12, 13, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leeds (US 2002/0016824 A1) in view of Horvitz et al. (hereinafter Horvitz) (US 6,161,130), and further in view of Natarajan (US 2002/0016916 A1).**

20. Referring to claim 12, Leeds fails to explicitly teach the use of a one-way hash function for matching threshold values to portions of the message signature. However, Natarajan teaches the use of a one-way hash function for signatures. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include Natarajan's teaching of a one-way hash function into the existing system of Leeds because it is the preferred mode to obtain a message digest (one-way hash function to obtain a message digest, page 1, 0006).

21. Referring to claim 13, Leeds teaches transmitting messages to an electronic mail server for generating message signatures. However, the combination system of Leeds and Natarajan fails to explicitly teach specifying changes to one or more routines invoked by the electronic mail server to perform this. It would have been obvious to one ordinary skill in the art at the time the invention was made to include the ability to use changes to one or more routines for the Leeds and Natarajan combination system because it would give the system more functionality.

22. Referring to claim 14, Leeds explicitly fails to teach transmitting messages by platform-independent byte code. However, it would have been obvious to one ordinary skill in the art at the time the invention was made to add the platform-independent byte code feature to the existing combination system of Leeds and Natarajan so that it can run on any given system.

23. Referring to claim 20, Leeds explicitly fails to teach using a one-way hash function that receives content from an email as input and a message signature as output. However, Natarajan teaches using a one-way hash function that receives the “source data of the digital object” as input and outputs an “encrypted message digest” (0006). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include the one-way hash function with these I/O features of Natarajan to the system of Leeds because it is well known that it is a technique for identifying a digital object (0006).

**24. Claims 21-25, 33-34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leeds (US 2002/0016824 A1) in view of Horvitz et al. (hereinafter Horvitz), and further in view of Shaw (US 20020026634).**

25. Referring to claims 21-23, Leeds fails to explicitly teach using a remote server for generating message signatures. However, Shaw teaches using the remote server (Figure

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1, 60) to receive code (page 2, 0030) and for signatures (page 2, 0030 and 0031).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to make the server of Leeds remote because it is well known that it can already be done.

26. Referring to claim 24, the combination system of Leeds and Shaw fails to explicitly teach using platform-independent byte code. However, it would have been obvious to one ordinary skill in the art at the time the invention was made to include this feature to the existing Leeds and Shaw system in order for it to have the flexibility to operate on any given system.

27. Referring to claim 25, the combination system of Leeds and Shaw fails to explicitly teach using machine executable code. However, it would have been obvious to one ordinary skill in the art at the time the invention was made to include this feature to the existing Leeds and Shaw system so that any programs can be executed.

28. Referring to claim 33, it is rejected for the same reasons as in the rejection of claim 23.

29. Referring to claim 34, it is rejected for the same reasons as in the rejection of claim 24.

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30. Referring to claim 36, it is rejected for similar reasons as stated in the rejection of claim 34. In addition, it is well known in the art that a computer-readable medium carrying one or more sequences of instructions which, when executed by one or more processors, can cause one or more processors to perform platform independent byte code. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include this feature to the existing system and method for the reason of increasing the functionality by having a medium to store instructions to allow for platform independence. This is beneficial by being able to have the flexibility to operate on any given system.

***Allowable Subject Matter***

31. Claims 5-7 and 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: Leeds in view of Horwitz fails to explicitly teach counting how many message signature elements that matched other message signatures.

32. Claims 15 and 31 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: Leeds teaches a central server receiving message signatures from emails, where

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each message signature includes one or more signature elements (*digitally the signed part, the signature, and the unique code, page 4, 0038, "Incoming messages (e-mails) are automatically scanned and parsed, either (1) at a server located at an Internet provider (prior to delivery to the intended ultimate recipient), (2) at a LAN-based receiving station, or (3) at the actual ultimate recipient's mail machine, i.e., local to the user."*, [0024])). However, Leeds fails to explicitly teach the central server generating counts of how many times said one or more signature elements are matched by signature elements from message signatures generated for other electronic mail messages in addition to the central server transmitting a message reflecting said counts.

33. Claim 16-17 are allowed.

34. Claims 30 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

35. With respects to the arguments to claims 1, 10, 19, 26, 29, 32 and 35, Applicant is referred to the updated rejections made in this office action.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (703) 305-5334. The examiner can normally be reached on 9:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Grant can be reached on (703) 308-1108. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 746-7140.

kt  
September 11, 2003

 MAJIDA A. BANANKHAH  
PRIMARY EXAMINER